

3. Per the attached transfer memo, Exhibit "A" I assigned Anthony Nesbit to Module C, close custody on February 12, 2003. My transfer memo contains no notation of gang affiliation or other special needs; therefore, it was my expectation upon making the assignment that Anthony Nesbit would be assigned to a cell in a "non-gang" quad within Module C.

4. Similarly by transfer memo, Exhibit "B", I assigned William Kotis to Module C, close custody on September 11, 2002. Exhibit B likewise contains no notation of gang affiliation or other special needs and it was my expectation upon making the assignment that William Kotis would be assigned to a cell in a "non-gang" quad.

Further Declarant sayeth naught.

DATED: November 29, 2005.


MONICA LORTZ

NOTE: This exhibit came from Defendants Conference letter Brief Nov 30th 2005
Declaration of Monica Lortz defendant Dated Nov 29, 2005

3. Per the attached transfer memo, Exhibit "A" I assigned Anthony Nesbit to Module C, close custody on February 12, 2003. My transfer memo contains no notation of gang affiliation or other special needs; therefore, it was my expectation upon making the assignment that Anthony Nesbit would be assigned to a an appropriately safe cell in within Module C.

4. Similarly by transfer memo, Exhibit "B", I assigned William Kotis to Module C, close custody on September 11, 2002. Exhibit B likewise contains no notation of gang affiliation or other special needs and it was my expectation upon making the assignment that William Kotis would also be assigned to a an appropriately safe cell in within Module C.

Further Declarant sayeth naught.

DATED: December 5, 2005.


MONICA LORTZ

Note: This exhibit came from Defendants Motion for Summary Judgment filed December 9, 2005 Concise statement of facts. Declaration of monica lortz